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Susan M. Cannon  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |               |                     |
|-------------|---|---------------|---------------------|
| Applicant:  | John Collier et al.   | Art Unit:     | 1645                |
| Serial No.: | 09/848,909  | Examiner:     | Virginia A. Portner |
| Filed:      | May 4, 2001   | Customer No.: | 21559               |
| Title:      | COMPOUNDS AND METHODS FOR THE TREATMENT AND PREVENTION OF BACTERIAL INFECTION |               |                     |

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REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

Applicants hereby request continued examination of the above-captioned application under 37 C.F.R. § 1.114. The application is a non-provisional application that was filed on or after June 8, 1995. This request is being submitted after the filing of a Notice of Appeal, on January 8, 2004, and thus is to be considered as a request to withdraw the appeal and to reopen prosecution.

For the submission required under 37 C.F.R. § 1.114, Applicants request entry of the amendment set forth in Applicants' Reply to final Office Action, which was filed on January 8, 2004, a copy of which is enclosed.

02/12/2004 DTESSEM1 00000113 032095 09848909

01 FC:2801 10.00 DA 375.00 OP

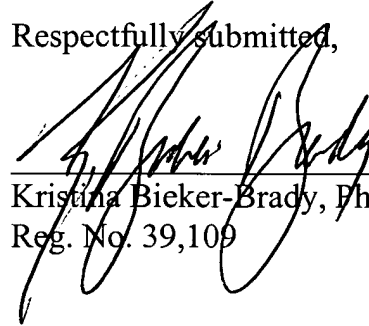
Enclosed is a check for \$375.00 in payment of the fee as set forth in 37 C.F.R. §1.17 (e). As this Request for Continued Examination is filed within two months of the mailing date of the Notice of Appeal, which was filed on January 8, 2004, no extension fee is due at this time.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Date:

February 9, 2004

Respectfully submitted,



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